

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

ROBERT JOHN WRAY  
DONNA RAE WRAY

Debtors

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)

CASE NO. 05-14151

DECISION AND ORDER

At Fort Wayne, Indiana, on November 9, 2005

The notice of motion and opportunity to object which Oakmount Development Co., LLC (hereinafter "Movant") served in connection with its motion for relief from stay and abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2).
- b. The notice is not "dated as of the date it [was] served." N.D. Ind. L.B.R. B-2002-2(c)(7).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court